

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of OLS, Inc.) Case No. 97-815-CT-RRJ
for Relief From Jurisdiction.)

FINDING AND ORDER

The Commission finds:

- (1) On July 28, 1997, OLS, Inc. (OLS or applicant) filed an application for authority to provide intrastate, interexchange telecommunication services in the State of Ohio as a switchless rebiller.
- (2) On August 27, 1997, pursuant to the Commission's Entry on Rehearing of December 22, 1993, in *In the Matter of the Commission Investigation Into the Implementation of Sections 4927.01 Through 4927.05, Revised Code, as They Relate to Competitive Telecommunication Services, Case No. 89-563-TP-COI (89-563)*, the attorney examiner issued an entry suspending the approval of this application so that this application could be reviewed more thoroughly.
- (3) On October 7, 1997, OLS filed additional information to supplement its application.
- (4) OLS has completed its application for relief from jurisdiction pursuant to the requirements of 89-563. The Commission, therefore, finds that the applicant should be authorized to provide the proposed service.
- (5) Nothing herein binds the Commission in any subsequent proceeding involving the justness or the reasonableness of any rate, charge, or practice of the applicant. OLS should take note that the Commission shall consider any individuals or companies engaged in the marketing of OLS's services as agents of OLS. OLS, therefore, shall be held accountable for any acts of its agents that are inconsistent with OLS's application or this Finding and Order.
- (6) Should OLS choose to resell local basic exchange service or provide local prepaid calling card services, it will be required to make the appropriate filing with the Commission in accordance with the Commission's local competition generic proceeding (Case No. 95-845-TP-COI). In that proceeding, the

Commission determined that it has jurisdiction over rebillers of basic local exchange services and prescribed procedures and guidelines by which resale of basic local exchange services could be provided in Ohio. In light of the Commission's decision to assert jurisdiction over local rebillers, the applicant should be advised that the Commission is currently reconsidering its stance on whether entities like the applicant should likewise be subject to the Commission's jurisdiction. In the meantime, the applicant is authorized to operate pursuant to the current 89-563 guidelines, but the case shall remain open until the Commission determines the jurisdictional issue.

It is, therefore,

ORDERED, That, in accordance with Finding (4), OLS is authorized to provide intrastate, interexchange telecommunication services in the State of Ohio as a switchless rebiller. It is, further,

ORDERED, That if OLS intends to provide local prepaid calling card service or other local exchange services, it will be required to obtain prior Commission authorization. It is, further,

ORDERED, That a copy of this Finding and Order be served upon the applicant and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

Craig A. Glazer, Chairman

Jolynn Barry Butler

Ronda Hartman Fergus

David W. Johnson

Judith A. Jones

LDJ/vrh